

201—38.2(692A,903B) Definitions.

“Aggravated offense” means a conviction for any of the following offenses:

1. Sexual abuse in the first degree in violation of Iowa Code section 709.2.
2. Sexual abuse in the second degree in violation of Iowa Code section 709.3.
3. Sexual abuse in the third degree in violation of Iowa Code section 709.4, subsection 1.
4. Lascivious acts with a child in violation of Iowa Code section 709.8, subsection 1.
5. Assault with intent to commit sexual abuse in violation of Iowa Code section 709.11.
6. Burglary in the first degree in violation of Iowa Code section 713.3, subsection 1, paragraph “d.”
7. Kidnapping, if sexual abuse as defined in Iowa Code section 709.1 is committed during the offense.

8. Murder, if sexual abuse as defined in Iowa Code section 709.1 is committed during the offense.

“Criminal offense against a minor” means any of the following criminal offenses or conduct:

1. Kidnapping of a minor, except for the kidnapping of a minor in the third degree committed by a parent.
2. False imprisonment of a minor, except if committed by a parent.
3. Any indictable offense involving sexual conduct directed toward a minor.
4. Solicitation of a minor to engage in an illegal sex act.
5. Use of a minor in a sexual performance.
6. Solicitation of a minor to practice prostitution.
7. Any indictable offense against a minor involving sexual contact with the minor.
8. An attempt to commit an offense enumerated in this rule.
9. Incest committed against a minor.
10. Dissemination and exhibition of obscene material to minors in violation of Iowa Code section 728.2.
11. Admitting minors to premises where obscene material is exhibited in violation of Iowa Code section 728.3.
12. Stalking in violation of Iowa Code section 708.11, subsection 3, paragraph “b,” subparagraph (3), if the fact finder determines by clear and convincing evidence that the offense was sexually motivated.
13. Sexual exploitation of a minor in violation of Iowa Code section 728.12, subsection 2 or 3.
14. Enticing away a minor in violation of Iowa Code section 710.10, subsection 1.
15. An indictable offense committed in another jurisdiction which would constitute an indictable offense under numbered paragraphs “1” through “13” of this definition.

“Hormonal intervention therapy” means a comprehensive treatment program inclusive of education, counseling, and pharmaceutical applications to control sexual deviant behavior.

“Offender” means a person who is required to register with the Iowa sex offender registry.

“Other relevant offense” means any of the following offenses:

1. Telephone dissemination of obscene materials in violation of Iowa Code section 728.15.
2. Rental or sale of hard-core pornography in violation of Iowa Code section 728.4.
3. Indecent exposure in violation of Iowa Code section 709.9.
4. A criminal offense committed in another jurisdiction which would constitute an indictable offense under numbered paragraphs “1” through “3” of this definition if committed in this state.

“Serious sex offense” means a criminal offense as defined in Iowa Code section 903B.1(4).

“Sexual exploitation” means sexual exploitation by a counselor or therapist under Iowa Code section 709.15.

“Sexually violent offense” means any of the following indictable offenses:

1. Sexual abuse as defined under Iowa Code section 709.1.
2. Assault with intent to commit sexual abuse in violation of Iowa Code section 709.11.
3. Sexual misconduct with offenders in violation of Iowa Code section 709.16.
4. Any of the following offenses, if the offense involves sexual abuse or attempted sexual abuse: murder, attempted murder, kidnapping, burglary, or manslaughter.

5. A criminal offense committed in another jurisdiction which would constitute an indictable offense under numbered paragraphs "1" through "4" of this definition if committed in this state.